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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,211	12/22/2003	Kok Wah Toh	CS23126AS	7624
20280 7590 02/14/2008 MOTOROLA INC 600 NORTH US HIGHWAY 45 W4 - 39Q LIBERTYVILLE, IL 60048-5343			EXAMINER RAMAKRISHNAIAH, MELUR	
			ART UNIT 2614	PAPER NUMBER
			NOTIFICATION DATE 02/14/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/743,211	TOH ET AL.	
	Examiner	Art Unit	
	Melur Ramakrishnaiah	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 13-21, 24-26 is/are rejected.
- 7) ☐ Claim(s) 9-12, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 18 recites the limitation "said latching device" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8, 13-17, 18-21, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindenman (US2003/0078069A1) in view of Myerson et al. (US PAT: 6,266,045, hereinafter Myerson).

Regarding claim 1, Lindenman discloses a portable electronic device having two part housing wherein first housing member (104, fig. 3) rotate relative to a second housing member (102, fig. 1) about an axis and substantially perpendicular to a front surface of the device, rotatable cam element, the cam element in use being urged to rotate about a rotational axis between a closed position and open position (paragraph: 0035).

Lindenman differs from the claimed invention in that he does not teach the following: latching device and a latchable detent follower selectively engageable with

the cam element to retain cam element in the open or closed position against a restoring force applied by a biasing member, the cam element being rotatable at least partially from an open position to disengage the detent element to allow the can element to selectively engage the detent follower at a position intermediate the open position and the closed position against the influence of the rotational biasing member.

However, Myerson discloses interactive display user computer and method which teaches the following: latching device and a latchable detent follower selectively engageable with the cam element to retain cam element in the open or closed position against a restoring force applied by a biasing member, the cam element being rotatable at least partially from an open position to disengage the detent element to allow the cam element to selectively engage the detent follower at a position intermediate the open position and the closed position against the influence of the rotational biasing member (col. 5, lines 9-32; col. 6 lines 11-35; figs. 5, 7).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Lindenman's system to provide for the following: latching device and a latchable detent follower selectively engageable with the cam element to retain can element in the open or closed position against a restoring force applied by a biasing member, the cam element being rotatable at least partially from an open position to disengage the detent element to allow the cam element to selectively engage the detent follower at a position intermediate the open position and the closed position against the influence of the rotational biasing member as this arrangement would

provide means to latch the housing member at the desired location as taught by Myerson in order to facilitate the use of portable telephone.

Lindenman further differs from claims 2-8, 13-16 in that he does not teach the following: cam element comprises a substantially circular member having at least one detent engaging surface adjacent a circumferential edge of the substantially circular member, cam element comprises two or more circumferentially spaced detent engaging surface, detent engaging surface are formed on a radially outwardly extending protrusion on the cam element, detent engaging surface are radially inwardly extending recesses on the cam element, detent engaging surfaces are at least partially complementary to an engaging surface of a detent follower of the detent follower, detent follower is resiliently biased in a direction radially inwardly of the cam element, detent follower is selectively latchable in a retraced position by a releasable resiliently biased latching mechanism, open position is located at from 150 degree to 210 degree from the closed position, where at least one intermediate position is located at from 70 degree to 110 degree from the closed position, body of the rotatable latching device includes an upright at least partially continuous wall surface to rotatably locate the rotatable cam element, body includes at least one mounting member to secure the latching device in a housing member.

However, Myerson teaches the following: cam element comprises a substantially circular member having at least one detent engaging surface adjacent a circumferential edge of the substantially circular member, cam element comprises two or more circumferentially spaced detent engaging surface, detent engaging surface are formed

on a radially outwardly extending protrusion on the cam element, detent engaging surface are radially inwardly extending recesses on the cam element, detent engaging surfaces are at least partially complementary to an engaging surface of a detent follower of the detent follower, detent follower is resiliently biased in a direction radially inwardly of the cam element, detent follower is selectively latchable in a retraced position by a releasable resiliently biased latching mechanism, open position is located at from 150 degree to 210 degree from the closed position (note: reference teaches obtaining desired rotational orientation: col. 6 lines 27-29), where at least one intermediate position is located at from 70 degree to 110 degree from the closed position (note: reference teaches obtaining desired rotational orientation: col. 6 lines 27-29), body of the rotatable latching device includes an upright at least partially continuous wall surface to rotatably locate the rotatable cam element, body includes at least one mounting member to secure the latching device in a housing member (col. 5, lines 9-32; col. 6 lines 11-35; figs. 5, 7).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Lindenman's system to provide for the following: cam element comprises a substantially circular member having at least one detent engaging surface adjacent a circumferential edge of the substantially circular member, cam element comprises two or more circumferentially spaced detent engaging surface, detent engaging surface are formed on a radially outwardly extending protrusion on the cam element, detent engaging surface are radially inwardly extending recesses on the cam element, detent engaging surfaces are at least partially complementary to an

engaging surface of a detent follower of the detent follower, detent follower is resiliently biased in a direction radially inwardly of the cam element, detent follower follower is selectively latchable in a retraced position by a releasable resiliently biased latching mechanism, open position is located at from 150 degree to 210 degree from the closed position, where at least one intermediate position is located at from 70 degree to 110 degree from the closed position, body of the rotatable latching device includes an upright at least partially continuous wall surface to rotatably locate the rotatable cam element, body includes at least one mounting member to secure the latching device in a housing member as this arrangement would facilitate to provide necessary mechanism to rotate the portable telephone parts to the desired position and secure it there in order to facilitate operation of the portable telephone.

Regarding claim 17, Lindenman teaches the following: at least portion of the cam element is exposed via an aperture in the body to permit attachment of a housing member to the cam element for rotation (fig. 3, paragraph: 0035).

Regarding claim 18, Lindenman discloses a portable electronic device having two part housing wherein first housing member (104, fig. 3) rotates relative to a second housing member about an axis substantially perpendicular to a front surface of the device including a body having a rotatable cam element, the cam element in use being urged about a rotational axis completely between closed position and open position (paragraph: 0035).

Lindenman differs from claimed invention in that he does not teach the following: a latchable detent follower selectively engageable with the cam element to retain cam

element in the open or closed position against a restoring force applied by the torsional biasing member, the cam element being rotatable at least partially from an open position to disengage the detent follower to allow the cam element to selectively engage the detent follower at the open position and the closed position against the influence of the influence of torsional biasing member, the body being securable to one or second housing members and the cam element being securable to another of the first or second housing members.

However, Myerson teaches the following: a latchable detent follower selectively engageable with the cam element to retain cam element in the open or closed position against a restoring force applied by the torsional biasing member, the cam element being rotatable at least partially from an open position to disengage the detent follower to allow the cam element to selectively engage the detent follower at the open position and the closed position against the influence of the influence of torsional biasing member, the body being securable to one or second housing members and the cam element being securable to another of the first or second housing members (col. 5, lines 9-32; col. 6 lines 11-35; figs. 5, 7).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Lindenman's system to provide for the following: a latchable detent follower selectively engageable with the cam element to retain cam element in the open or closed position against a restoring force applied by the torsional biasing member, the cam element being rotatable at least partially from an open position to disengage the detent follower to allow the cam element to selectively engage

the detent follower at the open position and the closed position against the influence of the influence of torsional biasing member, the body being securable to one or second housing members and the cam element being securable to another of the first or second housing members as this arrangement would provide means to latch the housing member at the desired location as taught by Myerson in order to facilitate the use of portable telephone.

Lindenman further differs from claims 19-21 in that he does not teach the following: cam element comprises a substantially circular member having at least one detent engaging surface adjacent a circumferential edge of the substantially circular member, cam element comprises two or more circumferentially spaced detent engaging surfaces, the detent follower is selectively latched in a retracted position by a releasable resiliently biased latching mechanism.

However, Myerson teaches the following: cam element comprises a substantially circular member having at least one detent engaging surface adjacent a circumferential edge of the substantially circular member, cam element comprises two or more circumferentially spaced detent engaging surfaces, the detent follower is selectively latched in a retracted position by a releasable resiliently biased latching mechanism (col. 5, lines 9-32; col. 6 lines 11-35; figs. 5, 7).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Lindenman's system to provide for the following: cam element comprises a substantially circular member having at least one detent engaging surface adjacent a circumferential edge of the substantially circular member, cam

element comprises two or more circumferentially spaced detent engaging surfaces, the detent follower is selectively latched in a retracted position by a releasable resiliently biased latching mechanism as this arrangement would facilitate to provide necessary mechanism to rotate the portable telephone parts to the desired position and secure it there in order to facilitate operation of the portable telephone.

Regarding claim 24, Lindenman teaches the following: display screen (106, fig. 1).

5. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindenman in view of Myerson as applied to claim 24 above, and further in view of Nagamine (EP 1357726).

The combination differs from claims 25-26 in that it does not teach the following: the electronic device includes a display screen on the outer surface of the first housing member, the first housing member being selectively rotatable relative to the second housing to orient the display screen in a portrait or landscape configuration, digital camera device.

However, Nagamine discloses portable telephone having a rotating display and two cameras which teaches the following: the electronic device includes a display screen on the outer surface of the first housing member, the first housing member being selectively rotatable relative to the second housing to orient the display screen in a portrait or landscape configuration, digital camera device (17a, 17b, figs. 2A-2C, abstract; paragraph: 0026).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: the electronic device includes a display screen on the outer surface of the first housing member, the first housing member being selectively rotatable relative to the second housing to orient the display screen in a portrait or landscape configuration, digital camera device as *his* arrangement would facilitate various ways of image processing by rotating the display as taught by Nagamine (paragraphs: 0018-0019).

6. Claims 9-12, 22, 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--(EP1353488A2) to Masatomo et al. discloses foldable and portable mobile communication terminal in which upper body unit with display can be rotated to different positions as shown in figs. 2-4.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614